

ENTERED

February 25, 2025

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
FIELDWOOD ENERGY III LLC, et al.,	§	Chapter 11
	§	
Post-Effective Date Debtors.	§	Case No. 20-33948 (MI)
	§	
_____	§	_____
APACHE CORPORATION,	§	
	§	
Counter Plaintiff,	§	
	§	
v.	§	
	§	
ZURICH AMERICAN INSURANCE	§	Adversary Case No. 23-03137
COMPANY, HCC INTERNATIONAL	§	
INSURANCE COMPANY PLC,	§	
PHILADELPHIA INDEMNITY	§	
INSURANCE COMPANY, AND	§	
EVEREST REINSURANCE COMPANY,	§	
	§	
Counter Defendants.	§	

**AGREED ORDER: (I) (A) DISMISSING ALL CLAIMS AND COUNTERCLAIMS WITH
PREJUDICE, (B) DIRECTING THE CLERK TO CLOSE THIS ADVERSARY
PROCEEDING; AND (II) GRANTING RELATED RELIEF
[Relates to Docket No. 213]**

Before the Court is the *Joint Motion for Entry of an Agreed Order: (I) (A) Dismissing All Claims and Counterclaims with Prejudice, (B) Directing the Clerk to Close this Adversary Proceeding; and (II) Granting Related Relief* (the “Motion”)¹ filed by Plaintiff Apache Corporation (“Apache”) and Defendants Zurich American Insurance Company (“Zurich”), HCC International Insurance Company PLC (“HCCI”), Philadelphia Indemnity Insurance Company (“Philadelphia”), and Everest Reinsurance Company (“Everest” and together with Zurich, HCCI, and Philadelphia, the “Sureties” and, together with Apache, the “Parties”), pursuant to Federal Rule of Civil Procedure 41(a)(2) and 41(c), made applicable to this Adversary Proceeding by Federal Rule of Bankruptcy Procedure 7041. The Court, having considered the Motion and applicable law; and it appearing that the Court has jurisdiction over Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and it appearing that venue is proper in this district pursuant

¹ Capitalized terms used, but not otherwise defined herein, have the meaning assigned in the Motions.

to 28 U.S.C. §§ 1408 and 1409; finds that the relief requested in the Motion should be granted, and, therefore, it is hereby:

ORDERED, ADJUDGED, AND DECREED THAT:

1. All claims and counterclaims in this Adversary Proceeding, including the Adversary Proceeding Claims, are hereby **DISMISSED WITH PREJUDICE**.

2. All pending motions in this Adversary Proceeding are hereby mooted.

3. Each of the Parties shall bear its own costs and attorneys' fees.

4. The Clerk is directed to close this Adversary Proceeding.

5. The Court retains jurisdiction with respect to all matters arising from or relating to the interpretation or implementation of this Order.

Signed: February 25, 2025

A handwritten signature in black ink, appearing to read 'M Isgur', is written over a horizontal line.

Marvin Isgur
United States Bankruptcy Judge

AGREED AS TO FORM AND SUBSTANCE:

/s/ Robin Russell

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